

ORDINANCE NO. 2020-01

AN ORDINANCE OF THE VILLAGE OF MALCOLM, LANCASTER COUNTY, NEBRASKA, VACATING A PORTION OF WRIGHT STREET, WITH TITLE REVERTING TO THE ABUTTING PROPERTY OWNERS; MAKING FINDINGS; RESERVING RIGHTS; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF MALCOLM, NEBRASKA:

Section 1. That a portion of Wright Street, from Lot 8, Beckman Subdivision, Village of Malcolm, Lancaster County, Nebraska, on the west, to North Lincoln Street, on the east, is hereby vacated, with title to said vacated real estate reverting to the owners of the abutting real estate pursuant to Neb. Rev. Stat. § 17-558 (2019).

Section 2. Pursuant to Neb. Rev. Stat. § 17-558, title to the vacated property shall be subject to the following. The Village reserves the right to maintain, operate, repair, and renew any public utilities existing at the time title to the property is vacated. The Village, any public utilities, and any cable television systems reserve the right to maintain, operate, repair, renew, and operate water mains, gas mains, sewer mains, pole lines, conduits, electrical transmission lines, sound and signal transmission lines, and other similar services and equipment and appurtenances, including lateral connections or branch lines, above, on, or below the surface of the ground that are existing as valid easements at the time title to the property is vacated for the purpose of serving the general public or the abutting properties and to enter upon the property to accomplish such purposes at any and all reasonable times.

Section 3. The Village Board determines as follows. This action is commenced at the request and with the consent of all abutting property owners. This action shall result in no special damages to existing property owners. This action serves the best interests of the Village.

Section 4. Within thirty (30) days after the effective date of vacation, the Clerk shall file a certified copy of this Ordinance with the Lancaster County Register of Deeds to be indexed against all affected real property.

Section 5. This ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

SUSPEND
READINGS
(3/4 VOTE) _____

FIRST READING

4/1/2020


SECOND READING

waived

THIRD READING

waived

PASSED AND APPROVED THIS 1st DAY OF April 2020



David Rohe, Chairman



ATTESTED AND PUBLISHED BY POSTING IN THE VILLAGE HALL, POST OFFICE, AND
FIRE STATION PER § 1-405 AND § 1-406 OF THE MALCOLM MUNICIPAL CODE WITHIN
FIFTEEN (15) DAYS OF PASSAGE ON THE 1st DAY OF April 2020.

Nadine Link
Nadine Link, Village Clerk

